



Eric Gonzalez
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: **[INSERT CASE NAME]**
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: JOHN RESTAINO

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS RESTAINO WAS ADJUDICATED GUILTY OF THE FOLLOWING DEPARTMENTAL CHARGE, DATED 01/14/1998:

ALLEGATION(S):

1. ON TWO OCCASIONS, MOS RESTAINO DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THIS DEPARTMENT IN THAT HE SUBMITTED FALSE ARREST REPORTS TO PAD HIS ARREST.

CASE STATUS: CLOSED ON 04/12/1999

ACTION TAKEN: FORFEITURE OF TWENTY (20) VACATION DAYS

Disclosure # 2:

MOS RESTAINO PLED GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES AND SPECIFICATIONS, DATED 07/22/2002:

ALLEGATION(S):

1. MOS RESTAINO ON ABOUT 07/03/2002 ACCIDENTALLY DISCHARGED HIS FIREARM, DID FAIL/ NEGLECT TO REPORT SAID FIREARMS DISCHARGE TO HIS PATROL SUPERVISOR
2. MOS RESTAINO DID FAIL/ NEGLECT TO PROPERLY SAFEGUARD HIS FIREARM

ACTION TAKEN: SUSPENDED FOR TWENTY-SIX (26) DAYS AND FORFEITURE OF NINETEEN (19) VACATION DAYS, TOTALING FORTY-FIVE (45) PENALTY DAYS

Disclosure # 3:

MOS RESTAINO PLED GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES AND SPECIFICATIONS, DATED 05/27/2005:

ALLEGATION(S):

1. MOS RESTAINO WHILE ASSIGNED TO THE 81ST PRECINCT, WHILE ON DUTY, SOMETIME BETWEEN DECEMBER 19, 2004 AND DECEMBER 27, 2004, DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT IN THAT HE DID MOVE

LOCKERS BELONGING TO ANOTHER MEMBER OF SERVICE TO THE BOILER ROOM OF THE STATIONHOUSE, WITHOUT PERMISSION OR AUTHORITY TO DO SO.

CASE STATUS: CLOSED ON 03/14/2006

ACTION TAKEN: FORFEITURE OF FIVE (5) VACATION DAYS

Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 05/22/2008, AGAINST MOS RESTAINO: ALLEGATION(S):

1. MOS RESTAINO DID OMIT REQUIRED AND PERTINENT INFORMATION ON AN OFFICIAL NEW YORK CITY PARKING SUMMONS

CASE STATUS: CLOSED ON 07/27/2009

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE AND FORFEITURE OF FIVE (5) VACATION DAYS

Disclosure # 5:

THE NYPD ENTERED A DISPOSITION OF MINOR PROCEDURAL VIOLATION, DATED 01/21/2019, AGAINST MOS RESTAINO.

CASE STATUS: CLOSED ON 04/26/2019

ACTION TAKEN: VERBAL INSTRUCTIONS

Disclosure # 6(PENDING):

THE FOLLOWING ALLEGATION(S), DATED 12/04/2020, ARE PENDING AGAINST MOS RESTAINO:

[REDACTED]

Disclosure # 7:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Terrell Bell	10-CV-2274	E.D.N.Y.	05/18/2010	10/28/2011	Settlement without admission of fault or liability

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 8:

CCRB CASE: 200309692

REPORT DATE: 12/06/2003

INCIDENT DATE: 12/06/2003

CCRB SUBSTANTIATED ALLEGATION(S):

1. Force - Physical force

NYPD Disposition: Not Guilty – DCT, Penalty of Not Guilty – DCT

Disclosure # 9: (PENDING)

CCRB CASE: 201909115

REPORT DATE: 10/18/2019

[REDACTED]

[REDACTED]
[REDACTED]

Eric Gonzalez
District Attorney
Kings County